

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA (PHILADELPHIA)

Charles Talbert, . Case No. 2:18-cv-05112-MAK
Plaintiff. .
v. .
Correctional Dental . 601 Market Street
Associates, et al., . Philadelphia, PA 19107
Defendants. . Tuesday, June 29, 2021
1:13 p.m.
.

TRANSCRIPT OF SETTLEMENT CONFERENCE HELD VIA VIDEOCONFERENCE
BEFORE THE HONORABLE MARK A. KEARNEY
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

For the Plaintiff : CHARLES TALBERT (Pro se)
QA-4727
SCI Dallas
10000 Follies Road
Dallas, PA 18612

For Defendant,
Dr. Sherri Schneider: Weber Gallagher Simpson Stapleton
Fires & Newby
By: GEORGIOS FARMAKIS, ESQ.
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1 (Proceedings commence at 1:13 p.m.)

2 THE COURT: Can you hear me, sir?

3 MR. FARMAKIS: I can, Your Honor.

4 THE COURT: Michael, can you hear me?

5 All right. So we're on the record here, Mr. Talbert,

6 and Mr. -- and counsel, Farmakis through the, I think, really

7 professional efforts of Carl -- I think through the

8 professional efforts of Charles Talbert and Mr. Farmakis today.

9 We have reached a resolution AND a final and complete

10 settlement of the matter marked at the Eastern District AT

11 Number 2018-5112, in which Charles Talbert has sued a series of

12 persons, but in this case, for a trial beginning on July 19th

13 against Dr. Schneider.

14 I'm going to recite the terms of the settlement that

15 they've reached in good faith today. I've watched both of

16 them. They're both competent to answer questions and provided

17 me with, I thought, very thoughtful negotiation and answers to

18 questions.

19 Mr. Talbert has agreed -- the parties have agreed, I

20 should say, that the defendants, that being Dr. Schneider

21 through her employer or otherwise, will tender a payment, a

22 check, in the amount of \$23,000 payable to Charles Talbert.

23 That check shall be cut today, delivered to Dr. Schneider's

24 counsel who's on the phone. Dr. Schneider's counsel will then

25 turn around and send that check or cut a \$23,000 check to Mr.

1 -- payable to Mr. Talbert at SCI Dallas. That check will be
2 issued tomorrow and sent tomorrow with tracking numbers on it
3 so that we can track down the number. That is, if there's any
4 concern for Mr. Talbert, we can track down the number.

5 As further part of the settlement, the parties agree
6 to a general and mutual release. That is, Mr. Talbert will not
7 sue Dr. Schneider, will not sue any party from Correctional
8 Dental, that being parties who've already been dismissed.
9 That's Drs. Young and Patel, as well as Correctional Dental,
10 because they're already dismissed, as well as will not sue any
11 party arising from anything alleged in or arising in this
12 complaint, as well as anything arising from or alleged through
13 his dental care from these doctors at any stage before July 29,
14 2019. That date is selected because that is two years from
15 today, and thus the claim, Mr. Talbert's is not releasing
16 claims against other persons that are not in the complaint,
17 that would be otherwise timely. This only relates to
18 Drs. Schneider and Patel and Young and arising only to the
19 conduct in the complaint and only for conduct that arises from
20 the complaint and only conduct relating to his dental care --
21 relating to these doctors before June 29, 2019.

22 The Court will dismiss the case without -- dismiss
23 the case but with a right to come back within 90 days should
24 the settlement not be effectuated, in which case the Court will
25 hold a hearing and need good cause as to why the check has not

1 been tendered to Mr. Talbert, and the parties proceed that
2 accordingly.

3 There will be no written documentation of this
4 agreement. This is the full and complete record of this
5 settlement. I'll ask Mr. Cosgrove to please prepare a
6 transcript of this settlement and provide it on the docket for
7 Mr. Farmakis to get. And Mr. Talbert, we will -- the Clerk of
8 Court will email -- will mail you the transcript for your
9 records, sir.

10 Mr. Talbert, do you understand the terms I just
11 described, sir?

12 MR. TALBERT: Yes.

13 THE COURT: Okay.

14 MR. TALBERT: Yes, Your Honor.

15 THE COURT: Do you agree to those terms I just
16 described, sir?

17 MR. TALBERT: Yes, Your Honor.

18 THE COURT: Okay. Mr. Farmakis, did you understand
19 the terms I just described, sir?

20 MR. FARMAKIS: I did, Your Honor.

21 THE COURT: Do you -- did you -- do you, on behalf of
22 your clients agree to those terms?

23 MR. FARMAKIS: Yes, Your Honor.

24 THE COURT: Okay. Are there any further concerns or
25 conditions that anyone wishes to address that we did not

1 address that cannot -- because this will be the complete and
2 full settlement of the matter involving Charles Talbert and
3 Dr. Schneider which was Docket Number 18-5112.

4 Anything further, Mr. Talbert?

5 MR. TALBERT: No, Your Honor.

6 THE COURT: Thank you, Mr. Talbert.

7 Mr. Farmakis?

8 MR. FARMAKIS: Just something really minor, Judge.
9 Just want to again bring up the issue of confidentiality as far
10 as the settlement goes.

11 THE COURT: No, we're not -- we don't do
12 confidentiality in the Eastern District, sir. That was not
13 raised earlier, and I won't do confidentiality, sir.

14 MR. FARMAKIS: Okay. I understand.

15 THE COURT: And the public -- here -- Mr. Talbert --
16 let me tell you, Mr. Farmakis, why. I'm putting it in the
17 order. It's a public transcript.

18 MR. FARMAKIS: Okay, Your Honor.

19 THE COURT: Right? I can't preclude public access
20 from something that I'm doing. If, you -- you know, I mean,
21 so. This is a -- I wanted to record this. I think that's for
22 the safety of everyone. So I wanted to record this. We're a
23 public courtroom. What we do is public.

24 MR. FARMAKIS: Okay.

25 THE COURT: So that -- there will be no

1 confidentiality in a sense that this will all be recorded and
2 put onto the public docket today. Well, excuse me, when
3 Mr. Cosgrove is able to get it transcribed and sent out to
4 everybody. All right?

5 Understood, Mr. Farmakis. I appreciate your question
6 but do you understand my answer?

7 MR. FARMAKIS: Understood, yes, Your Honor.

8 THE COURT: Okay. All right, counsel. And
9 Mr. Talbert, again, Mr. Talbert, it's nice to see you again. I
10 wish you -- I hope you stay well, sir.

11 And I will look --

12 MR. TALBERT: Yes, Your Honor.

13 THE COURT: And I wish you both your good health as
14 we come out of this COVID, and I appreciate, again, both your
15 professionalism in getting this resolved.

16 Thank you very much. I wish you all the best.

17 MR. TALBERT: Thanks.

18 THE COURT: The Court is adjoined.

19 Thank you, Mr. Cosgrove.

20 MR. TALBERT: Likewise.

21 MR. FARMAKIS: Thank you. Thank you.

22 (Proceedings concluded at 1:19 p.m.)

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C E R T I F I C A T I O N

I, Alicia Jarrett, court-approved transcriber, hereby certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter.

ALICIA JARRETT, AAERT NO. 428

DATE: July 20, 2021

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